

## **CONDITIONAL USE PROCESS AND PROCEDURES**

### **What is Zoning?**

Zoning is a tool used to promote orderly development within our community. Zoning works by regulating the use of land and the use and location of buildings and structures. Zoning typically involves grouping land in the community (rural and urban) into “zones” or “districts”, with each “zone” permitting certain compatible land uses according to specified standards of development. Council sets these standards as representatives of the community.

### **What is a Conditional Use?**

In a particular zoning district, some types of land use may be permitted as a Conditional Use. Conditional Use allows Council to consider the appropriateness of a proposed use for a particular site, or to establish certain site-specific standards for a proposed development. An example of a Conditional Use may be an intensive livestock operation within an agricultural zone or a group day care in a single-family residential zoning district.

### **Information required with your application:**

- A properly completed application from the Municipality in which the affected property is located.
- Letter of Authorization to apply (if applicant is other than the property owner.)
- Letter of Intent describing the application and any reasons supporting it, and any other information that may help explain the proposal.
- Detailed site plan showing accurate dimensions of the parcel; location and dimensions of all existing and/or proposed buildings and structures including distances from property lines, traffic/parking layout, access, and landscaping, (preferably a Building Location Certificate from a licensed survey company).
- The application fee, (payable to Dennis County Planning District).

### **What happens to your application after it is submitted?**

- A date and time for the hearing with Council will be set upon receipt of a complete application. Applications should be submitted at least 28 days before the Council hearing in order to meet the circulation requirements as outlined in The Planning Act.
- At least 14 days prior to the Council hearing, notices will be sent to each assessed property

owner within a 100-meter (328 foot) radius of the affected property.

- If the property is to be posted the applicant is responsible to place the required “Notice of Hearing” posters on the affected property at least 14 days prior to the Council hearing. The applicant is also responsible for maintaining the poster over the 14-day period.

- At the hearing, the applicant and any other person(s) may make a presentation to Council. Council may either approve or reject the application or may approve with certain conditions. Occasionally, Council will delay their decision until the next meeting if they require additional information.

- The decision of Council is final and not subject to any appeal. Approval of the application shall expire if it is not acted upon within 12 months of the date of the decision, unless renewed before the expiry date by Council for an additional period not exceeding 12 months.

**Please be advised that you or your representative should attend the hearing in order to present your application to Council.**

## **VARIATION ORDER PROCESS AND PROCEDURES**

### **What is a Variation Order?**

In specific situations where compliance with the zoning requirements is unreasonable or impractical, a property owner can apply to Council for approval of a Variation Order. Typically, a variation order would provide specific “relief” from the zoning requirements governing: minimum yards, dwelling unit density, building height, site area, width or coverage, building floor space, or parking and loading space requirements as they apply to an individual site.

### **Information required with your application:**

- A completed and signed application form, from the Municipality in which the affected property is located.
- Letter of Authorization to apply, (if applicant is other than the property owner).
- Letter of Intent describing the application and any reasons supporting it, and any other information that may help explain the proposal.
- Detailed site plan showing accurate dimensions of the parcel; location and dimensions of all existing and/or proposed buildings

and structures including distances from property lines, traffic/parking layout, access, and landscaping, (preferably a Building Location Certificate from a licensed survey company).

- Any other documents deemed necessary by the authority having jurisdiction (i.e.; land elevation reports, engineer’s reports, etc.),
- The application fee, (payable to the RM of Sifton).

### **What happens to your application after it is submitted?**

- A date and time for the hearing with Council will be set upon receipt of a complete application. Applications should be submitted at least 28 days before the Council hearing in order to meet the circulation requirements as outlined in The Planning Act.

- At least 14 days prior to the Council hearing, notices will be sent to each assessed property owner within a 100-meter (328 foot) radius of the affected property. All adjoining properties and properties across the street or lane will also be notified.

- If the property is to be posted the applicant is responsible to place the required “Notice of Hearing” posters on the affected property at least 14 days prior to the Council hearing. The applicant is responsible for maintaining the poster over the 14-day period.

- At the hearing, the applicant and any other person(s) may make a presentation to Council. Council may either approves or reject the application or may approve with certain conditions. Occasionally, Council will delay their decision until the next meeting if they require additional information.

- The decision of Council is final and not subject to any appeal. Approval of the application shall expire if it is not acted upon within 12 months of the date of the decision, unless renewed before the expiry date by Council for an additional period not exceeding 12 months.

**Please be advised that you or your representative should attend the hearing in order to present your Application to Council.**